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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/846,272	05/02/2001	Masaki Watanabe	50090-295	6124	
75	590 01/14/2003				
McDermott, Will & Emery			EXAMINER		
600 13th Street, N.W. Washington, DC 20005-3096			CRUZ, LOURDES C		
			ART UNIT	PAPER NUMBER	
			2827		
			DATE MAILED: 01/14/2003	DATE MAILED: 01/14/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413) Paper No(s)	*			11				
## Deficie Action Summary    Examiner		Application No.	Applicant(s)					
Lourdes C. Cruz   2827	Office Aution Summers	09/846,272	WATANABE ET AL	<b></b>				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of the reply be specially under the processor of 3° CPR 1.75(6). In no event, however, may a reply be timely filled between the reply and the special time reply appeared of the reply special between the reply will, by standard the reply selected above, the meaning attemptor for reply will, by standard timely.  If the period for reply special above, the meaning attemptor priod splight and will appear the mailing date of file communication, even if themselves the mailing date of file securities. See 3° CPR 1.74(6).  Felliule to reply will the set of contended prior for reply will, by standard sealed by the secure of period part of the reply selection to reply selection the mailing date of file communication, even if themselves and selection and selection and the reply selection and the selection of the communication, even if themselves and selection and selection and selection and selection is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Experte Queyle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4 S Claim(s) 1.5 is/are pending in the application.  4 Of the above claim(s) 1.and 4.15 is/are withdrawn from consideration.  5 Claim(s) 1.is/are objected to.  Claim(s) 2.3 is/are rejected.  7 Claim(s) 1.is/are objected to by the Examiner.  Application Papers  9  The specification is objected to by the Examiner.  Application Papers  9  The specification is objected to by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  If approved, corrected drawings are required in reply to this Office action.  If approved, corrected drawings are required in reply to this Office action.  If approved, corrected drawings are required in reply to this Office action.	Office Action Summary	Examiner						
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - after SIX (8) MONTHS from the mailing date of this communication.  - If the period for major specified date is less than thing (30) days, a may within the adaptive minimum of thirty (30) days will be considered timely.  - If the period from the period process of the period of the communication.  - Fallow to reply within the period restricted process of the period of the communication.  - Fallow to reply within the period restricted process of the reply will, by adaptive causes the application to become ABANDONED (85 U.S.C. § 133).  - Fallow to reply within the period restricted process of the reply will, by adaptive causes the application to become ABANDONED (85 U.S.C. § 133).  - Any reply recoved by the Cifical cert than three months after the mining date of this communication, even if timely float, may reduce any common plants them algorithms.  - Fallow to reply within the period to restricted process of the period of the communication, even if timely float, may reduce any communication.  - Fallow to reply within the period to restrict the period of the communication, even if timely float, may reduce any communication.  - Fallow to reply within the period to restrict the period of the communication, even if timely float, may reduce any communication.  - Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under £x parte Quayle, 1935 C.D. 11, 453 O.G. 213.  - Disposition of Claims  - Application State of the period of the per								
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of them may be supplied under the provisions of 37 CPR 1.19(a). In no event, however, may a reply be timely filled ster SIX (6) MCNFTER from the mailing date of this communication.  If NO parido for reply is specified above, the resultance and the supplied of the s		ears on the cover sheet with the d	orrespondence add	iress				
1) Responsive to communication(s) filed on 18 October 2002.  2a) This action is FINAL. 2b  This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.15 is/are pending in the application.  4a) Of the above claim(s) 1 and 4-15 is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are objected to.  8) Claim(s) is/are objected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on 02 May 2001 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority u	<ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any</li> </ul>							
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#### **DETAILED ACTION**

### Drawings

All figures showing a cross-sectional view of the invention are improperly crosshatched. All of the cross hatching patterns should be selected from those shown on page 600-81 of the MPEP based on the material of the part. Also see 35 CFR 184 (h)(3) and MPEP 608.02.

# Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2 and 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2 and 3 have not been rejected over the prior art because, in light of the 35 U.S.C. 112 rejections supra, there is a great deal of confusion and uncertainty as to the proper interpretation of the limitations of the claims; hence, it would not be proper to reject the claims on the basis of prior art. As stated in In re Steele, 305 F.2d 859, 134 USPQ 292 (CCPA 1962), a rejection should not be based on considerable speculation about the meaning of terms employed in a claim or assumptions that must be made as to the scope of the claims. See also MPEP 2173.06.

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See that the examiner previously rejected the claims because "the same" deemed the already deleted language "formed on the same side as said bumps" language indefinite. Although applicant has amended the claim to omit such language, the claim is still indefinite and very confusing to the examiner because it has now become unclear as to how the BGA substrate has a BGA on a principal plane and the bumps serving as electrodes to the first chip are attached to that same principal plane.

See that the drawings show the BGA of the substrate being opposite to the bumps of the chip.

## Response to Arguments

Although the arguments regarding the previous rejection are persuasive, the claims are not allowable since they have been deemed indefinite by the present amendment.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lourdes C. Cruz whose telephone number is 703-306-

5691. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David L Talbott can be reached on 703-305-9883. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-308-7722

for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

0956.

Lourdes C. Cruz Examiner Art Unit 2827

Lourdes Cruz January 8, 2003

> JEROME JACKSON PRIMARY EXAMINER